

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated September 18, 2008.

The consideration of the Information Disclosure Statements previously submitted in August 2006 and March 2007 is noted with appreciation.

Responsive to the objections to claims 34 and 56, the amendments herein are responsive thereto and withdrawal of the objection is earnestly solicited.

Further responsive to the rejection of claims 44-47 under 35 U.S.C. §101, the applicant has amended these claims, commensurate with the Examiner's suggestion.

Substantively, claims 27-31, 33-35, 38, 40, 42, 44, 46 and 48-56 are rejected on the grounds of anticipation by Suda (2003/0224775). Reconsideration is requested in view of the amendments to the claims herein and the following remarks.

Preliminarily, it is noted that Suda has as its inventor, Mr. Yukinori Suda, who is the same inventor as in the present application. Quite obviously, the present application was not meant to repeat and claim subject matter previously disclosed in a prior patent application of the same inventor.

In general, the instant claims concern a mobile communications system which includes at least three radio base stations and a terminal device.

In particular, note that the first radio base station is operating as an anchor base station and that packets addressed to the terminal device are buffered in the anchor base station, while the terminal device is communicating with successive radio base stations such as the second and third base stations, to find the ultimate base station through which communications will be handled. The buffering of the packets in the anchor base station assures no packets are either lost or reach the terminal device out of sequence. This arrangement of the invention not only prevents, as noted, lost or re-arranged packets but, in addition, reduces the complexity of both the protocol and the amount of hardware required.

Turning to the Suda reference, that reference only refers to two radio base stations. Although paragraph [0100] describes a process which can be applied to "selectively switch three radio base stations or more", the disclosure in the reference does not go so far as to specifically teach that data packets are held back and buffered in the anchor base radio station, in order to

solve the drawbacks of the prior art and achieve the benefits of the present invention. Therefore, none of the stated claims can be asserted to be anticipated by Suda.

Once the foregoing has been appreciated, it naturally follows that the subject matter of dependent claims 32, 36, 37, 39, 41, 43, 45 and 47 cannot be said to be rendered obvious by the mentioned Suda reference, in view of Rauhala (6,611,547), as variously asserted over pages 10-14 of the instant Office Action.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

Respectfully submitted,

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